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April 27, 2023

**VIA ECF**

United States District Court  
Eastern District of New York  
Attn: Hon. Peggy Kuo, U.S.M.J.  
225 Cadman Plaza East  
Courtroom 11C South  
Brooklyn, NY 11201-1804

**Re: Aragon v. Brahspati, Inc., et al.**  
**Case No.: 1:22-cv-6342 (EK) (PK)**  
**MLLG File No.: 21-2023**

Dear Judge Kuo:

This office represents the Defendants in the above-referenced case. Defendants write jointly with Plaintiff to submit a status report as to settlement efforts and to request that a mediation referral Order be entered pursuant to Local Civil Rule 83.8 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York (hereinafter “Local Civil Rules” or “LCR”).

On January 6, 2023, Plaintiff submitted a damages calculation. Defendants are in the process of gathering and compiling records of hours worked and wages paid. The parties have agreed to mediate this case before Defendants move forward with motion practice concerning the lack of enterprise and individual coverage under the Fair Labor Standards Act (“FLSA”).

Defendants also respectfully request, with Plaintiff’s consent, an extension of time, *sine die*, to respond to the complaint pending the parties’ mediation.

Consistent with Section IV of this Court’s Individual Practice Rules, Defendants submit that: (i) the current deadline to respond to the complaint was April 13, 2023;<sup>1</sup> (ii) an extension of time is needed because the parties wish to devote their time and effort towards mediation; (iii) there has been no previous request to this Court for an extension of time to respond to the Plaintiff’s amended complaint; and (iv) Plaintiff consents to the instant request.

Accordingly, Defendants respectfully submit that good cause and excusable neglect exist to warrant an extension of time of the deadline to respond to the Plaintiff’s amended complaint *sine die* pending mediation. See Fed. R. Civ. P. 6(b)(1)(B). Defendants thank this honorable Court for its time, attention, and anticipated courtesies in this case.

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<sup>1</sup> Because the Plaintiff amended his complaint on March 29, 2023 (see ECF Docket Entry 14), the deadline was fourteen (14) days thereafter. See Fed. R. Civ. P. 15(a)(3).

Dated: Lake Success, New York  
April 27, 2023

Respectfully submitted,

**MILMAN LABUDA LAW GROUP PLLC**

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